

UNITED STATES DISTRICT COURT  
for the  
Eastern District of North Carolina

## United States of America

Y<sub>1</sub>

McKinley Terrell James

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Case No: 7:04-CR-118-1FL

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USM No: 21634 056

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USM No. 21054

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Laura S. Wasco

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**Defendant's Attorney**

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**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 360 months is reduced to 292 months

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated March 22, 2005 shall remain in effect. **IT IS SO ORDERED.**

Order Date: May 23, 2014

*Louis W. Glarean*

Effective Date: \_\_\_\_\_  
*(if different from order date)*

Louis W. Flanagan, U.S. District Judge  
*Printed name and title*